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## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

TECH CENTER 1600/2900

In Application of: BERT O'MALLEY et al.

Serial No.: 08/959,013

For: MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE

Filed: October 28, 1997

Group Art Unit: 1647

Hon. Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 25, 2000 of the Primary Examiner finally rejecting claims 11-14, 30, 31 and 41-45. The items checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection is hereby requested for 3 month(s).2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.3. ☐ Fee enclosed:  
☐ small entity \$150.00 ☐ other than small entity \$300.00☐ Fee not required (Fee paid in prior appeal)4. ☐ Fees to be charged to Deposit Account 12-2475.:  
☒ small entity Notice of Appeal fee \$155.00  
☒ small entity Extension fee \$445.00☒ The Commissioner is hereby authorized to charge payment of the fees associated with this communication, or credit any overpayment, to Deposit Account 12-2475.☒ I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date of signature hereof with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, Washington, D.C. 20231.

LYON &amp; LYON LLP

April 25, 2001

By   
John D. McConaghy, Reg. No. 26,773Post Office Address to which  
correspondence is to be sent:LYON & LYON LLP  
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02 FC:217 445.00 CH